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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 DAWN RICHARD,
12 Individually,) 2-17-cv-00384-GMN-GWF
13 Plaintiff,)
14 vs.)
15 NV ENERGY, INC., a)
16 Nevada Corporation,)
17 DOES 1-10, inclusive; ROE)
18 CORPORATIONS 1-10, inclusive,)
19 Defendants.)

20 **STIPULATION TO EXTEND DISCOVERY PLAN AND SCHEDULING**
21 **ORDER DATES**
22 **(Second Request)**

23 IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff,
24 DAWN RICHARD, by and through her undersigned counsel, KIRK T. KENNEDY,
25 ESQ., and the Defendant NV ENERGY, INC., by and through its undersigned counsel,
26 KARYN M. TAYLOR, ESQ. and NEIL ALEXANDER, ESQ., of the firm of Littler
27 Mendelson, hereby file this Stipulation to extend the discovery plan and scheduling order
28 dates. The discovery deadline is February 22, 2018. This is the second request to extend
the discovery deadline.

DESCRIPTION OF ACTION: This is an Americans with Disabilities Act
discrimination action. Defendant denies all claims for relief.

1. Discovery Completed to Date:

The parties have exchanged all Rule 26 lists of witnesses and initial document

1 production. The parties conducted an ENE Session on June 7, 2017, wherein the parties
2 agreed to conduct an IME of the Plaintiff as part of the ENE process. The discovery time
3 lines were stayed while the matter was in the ENE Process. The ENE was continued to
4 October 25, 2017. The case did not resolve on that date.

5 The deposition of the Plaintiff is scheduled for January 25, 2018. The deposition
6 of the Defendant's witness, Ryan Lee, is scheduled for January 24, 2018. The parties
7 have also exchanged various supplemental document disclosures.

8 2. Discovery that remains to be completed:

9 Additional time is needed in order to facilitate the setting of the depositions by the
10 Defendant of the Plaintiff's physicians, Dr. Leo Germin, M.D. and Dr. Tawnya
11 Constantino, M.D. Also, the Plaintiff needs to set the deposition of the Defendant's
12 expert, Dr. David L. Ginsburg, M.D.

13 The Plaintiff further needs to set additional depositions of fact witnesses of 3-5.
14 The Defendant may also need to set additional depositions of fact witnesses in the range
15 of 3-5 as well.

16 3. Reasons why discovery has not been completed to date:

17 The setting of the contemplated depositions of Dr. Germin, Dr. Constantino and
18 Dr. Ginsburg will require additional time, given the physicians respective schedules. The
19 parties seek to reset the existing discovery deadline to allow for additional time to set
20 those depositions, as well as to complete the remaining discovery in this case.

21 **Proposed Discovery Schedule:**

22 1. The parties seek to extend the discovery deadline by 60 days from the current
23 discovery deadline of February 22, 2018. The new discovery deadline date shall be April
24 24, 2018.

25 2.. The parties shall have until May 24, 2018 to file dispositive motions. This is 30 days
26 after the discovery cut-off date and does not exceed the outside limit of thirty (30) days
27 following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing
28 dispositive motions.

1 3. The pretrial order shall be filed by June 25, 2018, which is not more than thirty (30)
2 days after the date set for filing dispositive motions in the case. This deadline is
3 suspended if dispositive motions are timely filed and, in such case, the deadline for filing
4 the pretrial order shall be thirty (30) days after decision on said dispositive motions, or by
5 further order of the court. The disclosures required by FRCP Rule 26 (a)(3) shall be
6 made in the joint pretrial order.

7 /s/Kirk T. Kennedy
8 KIRK T. KENNEDY, ESQ.
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12 (702) 385-5534
13 Attorney for Plaintiff

14 Dated: 12/19/17

/s/Karyn M. Taylor
KARYN M. TAYLOR, ESQ.
Nevada Bar No: 6142
6100 Neil Road
Reno, NV 89511
(775) 834-5781
Attorney for Defendant

Dated: 12/19/17

15 /s/Neil Alexander
16 NEIL ALEXANDER, ESQ.
17 Nevada Bar No: 5202
18 Littler Mendelson
19 3960 Howard Hughes Pkwy., #300
20 Las Vegas, NV 89169
21 (702) 862-8800
22 Attorney for Defendant
23 Dated: 12/19/17

24 **ORDER**

25 IT IS SO ORDERED.

26 Dated this 20 day of December, 2017.

27 
28 UNITED STATES MAGISTRATE JUDGE

Submitted by:

24 /s/Kirk T. Kennedy
25 KIRK T. KENNEDY, ESQ.
26 Nevada Bar No: 5032
27 Attorney for Plaintiff
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